

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 3 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

ROBERT RUNDO and ROBERT BOMAN,

Defendants - Appellees.

No. 24-932

D.C. Nos.

2:18-cr-00759-CJC-1

2:18-cr-00759-CJC-1

2:18-cr-00759-CJC-2

Central District of California,
Los Angeles

ORDER

Before: M. SMITH, Circuit Judge and TIGAR, District Judge.*

The government's emergency motion to stay Defendant Robert Rundo's release (Dkt. No. 51) is **GRANTED**.¹ The district court's April 30, 2024 order releasing Defendant Rundo is hereby **STAYED** pending resolution of the government's appeal of that order.

In the event Rundo is released prior to the resolution of this emergency motion, the government may (1) arrest him and return him to custody in the Central District of California and (2) continue to detain him pending this Court's resolution of the government's appeal from the district court's Bail Order.

* The Honorable Jon S. Tigar, United States District Judge for the Northern District of California, sitting by designation.

¹ In considering the motion, the court is guided by *Nken v. Holder*, 556 U.S. 418 (2009).